

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*  
*al.*,

Debtors.<sup>1</sup>

PROMESA

Title III

No. 17-BK-3283-LTS

(Jointly Administered)

**NOTICE OF WITHDRAWAL OF THE FOUR HUNDRED EIGHTY-SEVENTH  
OMNIBUS OBJECTION OF THE COMMONWEALTH OF PUERTO RICO TO  
CROSS-DEBTOR DUPLICATE CLAIMS**

To The Honorable United States District Judge Laura Taylor Swain:

1. On August 5, 2022, the Commonwealth of Puerto Rico (the “Commonwealth”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Commonwealth pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),<sup>2</sup> filed, *inter alia*, the *Four Hundred Eighty-Seventh Omnibus Objection (Non-Substantive)* of the

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> PROMESA is codified at 48 U.S.C. §§ 2101-2241.

*Commonwealth of Puerto Rico to Cross-Debtor Duplicate Claims* [ECF No. 21737] (the “Four Hundred Eighty-Seventh Omnibus Objection”).

2. On January 25, 2023, the Commonwealth filed the *Notice of Presentment of Proposed Order Granting the Four Hundred Eighty-Seventh Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico to Cross-Debtor Duplicate Claims* (ECF No. 21737) [ECF No. 23331] (the “Notice of Presentment”).

3. On February 16, 2023, the Court entered the *Order Concerning Supplementation of the Four Hundred Eighty-Seventh Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico to Cross-Debtor Duplicate Claims* [ECF No. 23549] (the “Order”). Therein, the Court observed that the Four Hundred Eighty-Seventh Omnibus Objection and the Notice of Presentment sought entry of an order “disallowing certain proofs of claim asserted against the Commonwealth on the basis that ‘the asserted liability, if any, for the Claims to Be Disallowed is properly asserted against ERS . . . ,’ [but] the Oversight Board has previously taken the position that Act 106-2017 (“Act 106”) transferred certain of ERS’s employment-related liabilities to the Commonwealth, and that the Commonwealth, rather than ERS, was the relevant Debtor.” Order at 1-2. The Order therefore directed the Debtors “to file a supplemental memorandum by **March 8, 2023 at 5:00pm (Atlantic Standard Time)** addressing the basis for disallowance of the Claims to Be Disallowed in favor of the Remaining Claims against ERS.” *Id.* at 2 (emphasis original).

4. In light of the Court’s Order, the Commonwealth hereby respectfully withdraws, without prejudice, the Four Hundred Eighty-Seventh Omnibus Objection in its entirety.

5. The Debtors reserve all rights with respect to the claims subject to the Four Hundred Eighty-Seventh Omnibus Objection (collectively, the “Withdrawn Claims”), including to object to the Withdrawn Claims on any grounds whatsoever.

Dated: March 8, 2023  
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

Hermann D. Bauer

USDC No. 215205

Carla García Benítez

USDC No. 203708

Gabriel A. Miranda-Rivera

USDC No. 306704

**O'NEILL & BORGES LLC**

250 Muñoz Rivera Ave., Suite 800

San Juan, PR 00918-1813

Tel: (787) 764-8181

Fax: (787) 753-8944

*Attorneys for the Financial Oversight and  
Management Board for Puerto Rico, as  
representative for the Commonwealth of  
Puerto Rico and the Employees Retirement  
System of the Government of the  
Commonwealth of Puerto Rico, the Puerto  
Rico Public Buildings Authority, and the  
Puerto Rico Electric Power Authority*

/s/ Brian S. Rosen

Martin J. Bienenstock (*pro hac vice*)

Brian S. Rosen (*pro hac vice*)

**PROSKAUER ROSE LLP**

Eleven Times Square

New York, NY 10036

Tel: (212) 969-3000

Fax: (212) 969-2900

*Co-Attorneys for the Financial Oversight  
and Management Board for Puerto Rico, as  
representative for the Commonwealth of  
Puerto Rico and the Employees Retirement  
System of the Government of the  
Commonwealth of Puerto Rico, the Puerto  
Rico Public Buildings Authority, and the  
Puerto Rico Electric Power Authority*